IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

WP(C).No. 15407 of 2007(H)

PETITIONER:

N. SIVAPRASAD,
S/O. LATE NEELAKANDASASTRI, KONAZHATHU THEKKETHIL HOUSE, VADAKKUMBHAGAM P.O., CHAVARA SOUTH, KARUNAGAPPALLY, KOLLAM.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS:
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1. C.I. OF POLICE, KONNI,
PATHANAMTHITTA DISTRICT.

2. S.I. OF POLICE,
THANNITHODE, PATHANAMTHITTA DISTRICT.

3. ASSISTANT EXCISE COMMISSIONER,
PATHANAMTHITTA.

4. THOMAS SAMUEL,
VALLIKALAYIL HOUSE, THANNITYHODE, KONNI.

5. RAVEENDRAN NAIR, S/O. KALAMALAKSHIAMMA,
CHERIYATHU MALAYIL HOUSE, THANNITHODE, KONNI.

6. ALEYAMMA THOMAS, KOOTHINETHU HOUSE,
THANNITHODE, KONNI.

BY ADV. SRI.ABRAHAM SAMSON - R4, R5 & R6
GOVERNMENT PLEADER SRI. SALIM P.A.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 15407/2007 H

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LICENCE.

EXT.P2. COPY OF THE SALE DEED NO. 894/07 OF KONNI SRO RELATING TO THE PETITIONER'S PROPERTY.

EXT.P3. COPY OF THE LAND TAX RECEIPT DT. 8/5/07.

EXT.P4. COPY OF THE OWNERSHIP CERTIFICATE OF THE PETITIONER'S BUILDING NO. TPI/39A.

EXT.P5. COPY OF THE REPRESENTATION DT. 16/5/2007.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 15407 OF 2007-H

Dated 4th October, 2007.

JUDGMENT

Balakrishnan Nair, J.

It is common case that the building housing the toddy shop, T.S.No.11/2007-2008 has been destroyed by the local people on 16.6.2007. They were provoked by the assassination of the President of the organisation spear-heading the campaign against the location of the toddy shop in that area. In view of the above development, the police need not extend protection to a non-existent shop. Accordingly, the writ petition is dismissed.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/